

DISCUSSION OF THE CLAIMS

Support for amended Claims 47-50 and 81 is found at specification page 5 line 13 to continuing page 6 line 11, page 12, lines 16-26 and page 14, lines 1-4. Claims 51, 54-56, 59-63, 75, 88, 91 have been amended to place the claims in a better format for examination on the merits. Claims 81-94 have been withdrawn. No new matter has been added.

REMARKS/ARGUMENTS

The rejection of Claims 47-80 on the ground of nonstatutory obviousness-type double patenting over copending Application No. US 2006/0178265 A1 should be held in abeyance and transferred to the late-filed application after resolution of the allowable claims herein because the present application is earlier-filed (PCT filing date: December 13, 2004) (See M.P.E.P. 822.01).

The rejection of Claims 47-80 under U.S.C. 102(e) as being anticipated by Suzawa et al. (US Pat. 6,858,563 B2) is traversed.

Suzawa discloses a catalyst for automobiles. However, Suzawa does not disclose or suggest a ceramic body having a high specific surface area wherein 1) at least one ceramic particle comprises at least Si, Al, and Mg and has a needle-shaped morphology, 2) a porous body comprises a needle-shaped crystal phase; 3) the ceramic particle has a three-dimensional bonding of needle-shaped crystals formed by treatment with weak acid at a stage in which the needle-shaped crystal is deposited and thereby has a high specific surface area of at least 1 m²/g; and 4) the ceramic particle resists sintering-induced diminution of the specific area when being subjected to the high temperature of 1000°C or more as in amended Claims 47-50.

Importantly, Suzawa does not disclose or suggest treating the ceramic particle with an weak acid as in amended Claims 47-50. In fact, Suzawa discloses as follows (See, Suzawa, Col. 8, lines 3-6, emphases added)

radation of the catalytic components due to heat. As an acid treatment is not employed, the problem of the drop of the strength does not occur. Therefore, the catalyst can keep initial performance for a long time.

Thus, Suzawa rather teaches away from carrying out an acid treatment to improve the performance of the catalyst. Therefore, in light of teachings by Suzawa, one of ordinary skill

in the art would not have foreseen the ceramic body particularly obtained by a process comprising a weak acid treatment as in amended Claims 47-50.

Therefore, Suzawa cannot render anticipated or obvious amended Claims 47-50 and the dependent claims therefrom.

Withdrawal of the rejection is respectfully requested.

The objection to Claims 47-50 is believed to be obviated by the present amendment.

The rejection of Claims 47 and 49-80 under 35 U.S.C 112, second paragraph is believed to be obviated by the present amendment.

Upon making a determination of allowable subject matter for product Claim 47, the Office is requested to rejoin and allow process Claims 81-94 pursuant to M.P.E.P. 821.04 (b) which states that “if applicant elects a claim(s) directed to a product which is subsequently found allowable, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder”. Claims 81-94 are commensurate in scope with, directly dependent on, and contain all the limitations of allowable product Claim 47 because they are methods of using the product of Claim 47. Moreover, rejoinder and allowance of these claims would not place an undue burden on the Examiner. Rejoinder is therefore appropriate.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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